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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WAGNER *et al.*

Appl. No. 09/446,317

§ 371 Date: April 17, 2000
(CPA Filed: December 29, 2000)

For: **Complexes for Transporting
Nucleic Acid Into Eukaryotic
Higher-Cells**

Confirmation No. 2149

Art Unit: 1635

Examiner: Schnizer, R.

Atty. Docket: 0652.2010000/EKS/PSC

#23/K.T.
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Notice

of
Appeal

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences - Large Entity**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated **May 6, 2002**, in which claims 35-52 and 54-68 were rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our check no. 37239. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date November 6, 2002
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